



Docket No.: 247071US0DIV

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/761,358

Applicants: Shin KOIKE, et al.

Filing Date: January 22, 2004

For: OIL COMPOSITION

Group Art Unit: 1614

Examiner: WEDDINGTON, K.

SIR:

Attached hereto for filing are the following papers:

**RESPONSE AND REQUEST FOR RECONSIDERATION;
TERMINAL DISCLAIMER**

Our credit card payment form in the amount of \$130.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO: 247071US0DIV



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
SHIN KOIKE, ET AL. : EXAMINER: WEDDINGTON, K.
SERIAL NO: 10/761,358 :
FILED: JANUARY 22, 2004 : GROUP ART UNIT: 1614
FOR: OIL COMPOSITION :

RESPONSE AND REQUEST FOR RECONSIDERATION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated April 15, 2005, reconsideration of the above-identified application is respectfully requested in view of the following Remarks:

REQUEST FOR RECONSIDERATION

Claims 6-22 remain active in this application.

Applicants wish to thank Examiner Weddington for indicating that claims 6-13 are allowable over prior art.

As to the rejection under the judicially created doctrine of obviousness-type double patenting over claims 1-10 of U.S. 6,448,292, Applicants enclose herewith a Terminal Disclaimer, disclaiming the terminal portion of any patent issuing from the above-identified application which would extend beyond the full statutory term of U.S. 6,448,292. In view of Applicants' Terminal Disclaimer, withdrawal of the rejection under the judicially created doctrine of obviousness-type double patenting is respectfully requested.

Applicants respectfully request that the Examiner rejoin the subject matter of claims 14-22 as these claims are directed to methods using an oil composition of the same scope as the oil composition used in the food product of claim 6.

Applicants submit this application is now in condition for allowance and early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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